

SEC. 5. This act shall be in force from and after its ^{Take effect.} publication in the Iowa Weekly Citizen and Iowa State Journal.

Approved February 27th, 1858.

I hereby certify that the foregoing Act was published in the Iowa Weekly Citizen on the 10th day of March, A. D. 1858, and in the Iowa State Journal on the 6th day of March, A. D. 1858.

ELIJAH SELLS,
Secretary of State.

CHAPTER 27.

FREE BRIDGE AT CEDAR RAPIDS.

AN ACT entitled an Act to amend and carry into effect an Act entitled an Act to create a Board of Commissioners with authority to erect a free bridge across the Cedar River at Cedar Rapids, in Linn County. Approved January 25th, 1855.

SECTION 1. *Be it enacted by the General Assembly of the State of Iowa,* That the Board of Commissioners appointed by virtue of an Act passed at the Fifth General Assembly of the State of Iowa, approved January 25th, 1855, and entitled "An Act to create a Board of Commissioners with authority to erect a free bridge across the Cedar River, at Cedar Rapids, in Linn county," or their successors in office, or such persons as are now acting as such Board of Commissioners, or a majority of the same, be, and hereby are authorized, to convey, transfer, set over, and assign by deed, over their hands and seals, to William D. Watrous, his heirs and assigns, all and singular, the property belonging or in anywise appertaining to the said free bridge, in the hands or under the control of the said Commissioners, or either of them, for the sole purpose, nevertheless, of rebuilding the bridge across the Cedar River, at Cedar Rapids, in Linn county, where the said free bridge was formerly constructed, provided that the said William D. Watrous, shall before the execution and delivery of the deed aforesaid by the said Commissioners, comply with the requirements of this act as hereinafter provided.

Commissioners
may transfer
property to re-
build the bridge.

W. D. Watrous must receipt in full all claims against Commissioners and give bond to rebuild the bridge.

SEC. 2. The said William D. Watrous shall, before the execution and delivery of the deed aforesaid, by the said Commissioners, and in consideration of the same, execute to the said Commissioners, a receipt in full, discharging and releasing the said Commissioners from any and all indebtedness to the said Watrous, either by reason of any contract made with those relating in any manner to the said bridge, or of any claim or demand against them as Commissioners as aforesaid, he shall also deliver and assign to the said Commissioners, any and all subscriptions remaining in his hands and made to the said Commissioners for the purpose of erecting the said free bridge, to be by them dealt with as hereinafter provided; he shall also execute a bond to the said Commissioners in the penalty of twenty thousand dollars (\$20,000) with sureties to be approved by them, or a majority of them, and by the County Judge of Linn county, conditioned that the said Watrous shall faithfully apply all the property and effects received from the said Commissioners by virtue of this act, to the sole purpose of rebuilding the said bridge, and that he shall in all things appertaining thereto, comply with and abide by all and singular, the provisions of this act, which said bond shall be filed in the office of the County Judge aforesaid, and be for the use of the said Commissioners or of any and all person or persons injured or aggrieved by the said Watrous, in any matter relating to any of the provisions of this act.

Bond filed.

Watrous authorized to rebuild the bridge, and to take toll therefrom.

SEC. 3. The said William D. Watrous, after complying with the requirements of the recording section and the execution and delivery of the deed aforesaid, is hereby authorized and empowered to rebuild the said bridge according to the original plan and design of the same, subject, nevertheless, to such changes and alterations as the said Commissioners, or a majority of them, may direct or approve, provided that the alterations directed by the said Commissioners shall not materially increase the cost and expenditure of building the said bridge, and the said Watrous is hereby authorized and empowered to keep and maintain the said bridge as a

toll bridge, until such time as by the provisions of this act hereinafter specified, he shall be required to deliver the same up to the said Commissioners, demanding and receiving for the use of the said bridge, toll not exceeding the following rates, to-wit: for each foot passenger, one cent, for each horse and rider, ten cents, for each single horse and wagon or other vehicle, fifteen cents, for every two horses and vehicle, twenty cents, and for every additional horse attached to any vehicle, five cents, for the first five head of sheep or swine, three cents each, and for each additional head, one cent; and for the first ten head of horses or other live stock, not attached to any vehicle, five cents each, and for each additional head, three cents. The word horses, as used above, is intended hereby to include mules, asses and oxen.

Rates of toll.

SEC. 4. Any and all persons who have subscribed to the said free bridge, and have paid their subscriptions to the same, or may hereafter pay the same, shall be entitled to the use of the said bridge, for themselves, their property, their wives and such other members of their family as are under the age of twenty-one years, free of all charges whatsoever, from the time the said bridge is so far completed as to afford safe and convenient crossing for foot passengers and teams, anything herein contained to the contrary notwithstanding. Servants of the subscribers above mentioned, while actually engaged in their masters business, are also entitled to the free use of the said bridge.

Persons who have subscribed entitled to use bridge free.

SEC. 5. The Board of Commissioners as created by the act of the Fifth General Assembly afore mentioned, and their successors in office, are hereby continued in office as such Board of Commissioners, and it is hereby made the duty of the said Commissioners, upon the taking effect of this act, and as soon thereafter as practicable, to execute and deliver to the said William D. Watrous, the deed hereinbefore mentioned, upon the performance by the said Watrous of all the requirements of this act, as herein specified, by him to be done before the delivery of the said deed. It is further made the duty of the said Commissioners to superintend the re

Commissioners continued in office.

They may super-
intend the build-
ing and repair-
ing of the bridge

building of the said bridge, to require the said Watrous in all things to rebuild the same according to the original design and plan of the same, except in such particulars as the said Commissioners may in writing direct or permit, the said Watrous to alter or change the same subject to the provision contained in the third section of this act, also to require the said Watrous, after the rebuilding of the said bridge, to keep the same, and the abutments and embankments thereto, in good condition and repair, so as to afford safe and convenient access to the said bridge, and safe and convenient crossing thereon, for foot passengers, teams and live stock.

Commissioners
receive sub-
scriptions.

SEC. 6. The said Commissioners are further authorized, and it is hereby made their duty, to receive payment upon any subscription heretofore made for the purpose of building the said bridge, and assigned to them by the said Watrous as hereinbefore required, and also to solicit and receive voluntary subscriptions for the purpose of rebuilding the said bridge; and any person who may hereafter pay to the said Commissioners the sum of 25 dollars, shall have the same right to the free use of the said bridge, as is given in section four (4) of this act, to such persons as have or may hereafter pay their subscriptions to the same, and the said Commissioners shall, as soon as practicable, after the receipt of such subscription, pay the same over to the said William D. Watrous, taking his receipt therefor, and as soon as the said Commissioners shall have received and paid over to the said Watrous the aggregate sum of eight thousand dollars, the said Watrous shall surrender, transfer and deliver up to the said Commissioners the said bridge, to be by them delivered up to the proper officers, as provided in section six (6) of the act passed by the Fifth General Assembly, hereinbefore mentioned,

Bridge free to
subscribers.

Bridge made free

Provided, nevertheless, that from and after the first day of January, A. D., 1870, the said bridge shall be a free bridge, whether the said sum of eight thousand dollars be paid to the said Watrous or not; and after the said day, all rights and interests of the said Watrous, his heirs or assigns, in or to the said bridge shall forever

cease, and the said bridge shall forever be and remain a free bridge, as contemplated in the act aforesaid.

SEC. 7. The said William D. Watrous shall, upon the execution and delivery of the deed aforesaid, and within thirty days thereafter, proceed to the rebuilding of the said bridge, and shall have the same so far completed by the first day of April, A. D. 1859, as to afford safe crossing for foot passengers and teams; and shall by the first day of January, A. D. 1860, have the said bridge completed according to the original design, except as changed as herein provided.

Completion of
bridge.

SEC. 8. The rights and privileges hereby conferred upon the said William D. Watrous, shall continue only so long as he in all respects complies with the provisions of this act, and the directions of the said Commissioners acting under the same; and upon the neglect or refusal of the said Watrous to comply with and conform to the provisions of this act, and the directions and requirements of the said Commissioners acting by virtue hereof, all rights, privileges and immunities hereby conferred upon him shall cease, determine and be of non-effect; and all the property conveyed by virtue hereof to the said Watrous, shall revert back to the said Commissioners, for the use originally designed for the same.

Condition of
Watrous' rights.

SEC. 9. All acts or parts of acts conflicting herewith are hereby repealed.

Conflicting acts
repealed.

SEC. 10. This act shall take effect and be in force from and after its publication in the Cedar Valley Times and Cedar Rapids Democrat, without expense to the State.

Take effect.

Approved February 27th, 1858.

I hereby certify that the foregoing Act was published in the Cedar Valley Times on the — day of — A. D. 1858, and in the Cedar Rapids Democrat on the 16th day of March, A. D. 1858.

ELIJAH SELLS,
Secretary of State.